

## FLOOR SCHEDULE FOR WEDNESDAY, NOVEMBER 20, 2013

HOUSE MEETS AT:	FIRST VOTE PREDICTED:	LAST VOTE PREDICTED:
<b>10:00 a.m.: Morning Hour</b> <b>12:00 p.m.: Legislative Business</b>  <b>Fifteen "One Minutes"</b>	<b>1:30 – 2:00 p.m.</b>	<b>5:00 – 6:00 p.m.</b>

\*\*Members are advised that only the Rule for H.R. 1900 will be considered today. Further consideration of the bill, including general debate and amendments to H.R. 1900, will occur on Thursday.

**H.Res. 420 – Rule providing for consideration of H.R. 1900 - Natural Gas Pipeline Permitting Reform Act (Rep. Pompeo – Energy and Commerce) (One Hour of Debate).** The Rules Committee has recommended a structured Rule that provides for one hour of general debate equally divided between the Chair and Ranking Member of the Committee on Energy and Commerce. The Rule allows 5 amendments debatable for 10 minutes equally divided between the offeror and an opponent. It allows one motion to recommit, with or without instructions. It also waives all points of order against the legislation.

The Rules Committee rejected a motion by Mr. McGovern of Massachusetts to consider H.R. 1900 under an open Rule. **Members are urged to VOTE NO.**

**Complete Consideration of H.R. 1965 – Federal Lands Jobs and Energy Security Act (Rep. Lamborn – Natural Resources/Judiciary) (One Hour of Debate).** This bill requires the Department of the Interior to develop domestic oil and natural gas production goals to meet demand; it increases the amount of federal land available for oil and gas production, including by requiring that at least 25% of eligible federal land be made available each year for leasing and by providing for new oil shale leasing and the leasing of parcels in the National Petroleum Reserve in Alaska; it hastens the process for approving drilling permits; it also sets new standards for judicial review of civil actions filed against drilling permits; and it includes provisions related to oil and gas resource development on Indian tribal lands.

It combines 5 bills – the first bill, H.R. 1965, would require the Bureau of Land Management (BLM) to lease at least 25% of lands nominated by the oil and gas industry and to automatically approve any permit which has not been formally decided upon within 60 days. Further, it limits judicial review to 60 days after an approval and prohibits plaintiffs from recouping court and attorney's fees.

The second bill, H.R. 1394, would direct Federal land managers to manage lands for the primary purpose of energy and mineral production, making all other ways that Americans enjoy public lands, like hunting, fishing, camping, grazing, and conservation, secondary.

The third bill, H.R. 1964, would require the Secretary of the Interior to develop regulations to require action on drilling permits in the Nation Petroleum Reserve in Alaska within 60 days, despite existing regulations that already require consideration of such applications within 90 days. Further, it would require the BLM to ensure that leases are within 25 miles of roads and pipelines, forcing it to develop a road and pipeline network in the Alaska wilderness, despite no pending BLM applications to construct either.

The fourth bill, H.R. 555, would give the Secretary of the Interior the ability to conduct further onshore oil and gas lease sales using internet-based auctions, but does not require the Secretary to do so.

The fifth bill, H.R. 1548, would prohibit BLM from enforcing fracking regulations on tribal lands without the consent of the tribal government.

As of yesterday, the House had completed all debate on H.R. 1965. The following amendments have recorded votes pending:

**Jackson-Lee Amendment #2.** Adds a savings clause to the bill to make clear that citizens retain the First Amendment Right To Petition, despite the \$5000 "protest fee" in the underlying bill.

**Lowenthal Amendment.** In Extraordinary Circumstances (e.g. violations of a Federal, State, local, or tribal law), allows the Secretary of Interior to subject to full NEPA review actions that

could otherwise qualify for Categorical Exclusions from NEPA review. The underlying bill prohibits a full NEPA review in these circumstances.

**Jackson-Lee Amendment #4.** Eliminates prohibition of award of attorney fees which otherwise would be recoverable under the Equal Access to Justice Act by plaintiffs who successfully sue the federal government.

**Polis/Huffman Amendment.** Requires the National Academy of Sciences to study and report to Congress about the impact of flooding on oil and gas facilities and the resulting instances of leaking and spills from tanks, wells, and pipelines.

**DeFazio Amendment.** Authorizes \$10 million of the revenue generated by the underlying bill for the Commodity Futures Trading Commission to use existing authority to limit speculation in energy markets.

**Bill Text for H.R. 1965:**

[PDF Version](#)

**Background for H.R. 1965:**

[House Report \(HTML Version\)](#)

[House Report \(PDF Version\)](#)

**H.R. 2728 – Protecting States’ Rights to Promote American Energy Security Act (Rep. Flores – Natural Resources) (One Hour of Debate).** This bill prohibits the Interior Department from enforcing federal rules related to hydraulic fracturing in states that have their own fracking oversight rules, and it requires EPA to take certain actions in conducting its study of the impact of fracking on drinking water — including setting a deadline for release of a final report.

It combines 2 bills – the first bill, H.R. 2728 , prevents the Department of the Interior from enforcing any federal standards on hydraulic fracturing on BLM lands if a state has any rules or guidance governing fracking, no matter how minimal, effectively precluding the federal government from having any oversight, inspection, or enforcement responsibility whatsoever of fracking wells.

The second bill, [H.R. 2850](#), would expand study parameters for an on-going EPA study on the effect of hydraulic fracturing on drinking water, however there is some concern that adding them may make the study too cumbersome for EPA to complete.

The Rule, which was adopted yesterday provides for one hour of general debate, with 40 minutes equally divided and controlled by the Chair and Ranking Member of the Committee on Natural Resources and 20 minutes equally divided and controlled between the Chair and Ranking Member of the Committee on Science, Space, and Technology. The Rule allows for 5 amendments, each debatable for 10 minutes equally divided between the offeror and an opponent. The amendments are:

**Holt/Peters/Polis Amendment.** Maintains current authority of the Secretary of the Interior to issue regulations to reduce methane emissions from oil and gas drilling operations on public lands.

**Flores Amendment.** Requires states to submit a copy of their hydraulic fracturing regulations and chemical disclosure requirements to the BLM for public disclosure and provides other technical/clarifying changes.

**Reed/Costa Amendment.** Directs the GAO to conduct a study on the economic benefits of domestic oil and gas production as result of hydraulic fracturing including job creation, energy prices and State and Federal revenues.

**DeFazio Amendment.** Prohibits the export of natural gas produced on public lands covered by this Act.

**Jackson-Lee Amendment.** The Secretary shall conduct an annual review of any and all state hydraulic fracturing activity and submit a report to Congress.

**Bill Text for H.R. 2728:**

[PDF Version](#)

**Background for H.R. 2728:**

[House Report \(HTML Version\)](#)

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## **TOMORROW’S OUTLOOK**

The GOP Leadership has announced the following schedule for Thursday, November 21: The House will meet at 9:00 a.m. for legislative business. The House is expected to complete consideration of H.R. 1900 - Natural Gas Pipeline Permitting Reform Act (Rep. Pompeo – Energy and Commerce).



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# THE DAILY WHIP

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## The Daily Quote

"Several House Republican appropriators say they are uneasy with the sequester level of \$967 billion for discretionary spending that GOP leadership says is their central priority in the talks aimed at striking a budget deal for the current fiscal year.

Rodney Frelinghuysen, R-N.J., chairman of the House Defense Appropriations Subcommittee, said Tuesday that he is 'very concerned' about Republicans who say the post-sequester spending level of \$967 billion is adequate....Conferees have until Dec. 13 to cobble together a framework for a budget deal ahead of Jan. 15, when the current stopgap spending measure expires. Appropriators from both parties have asked for as much time as possible to assemble a spending package and are hoping for a 2014 top line by Nov. 22 and no later than Dec. 2."

- CQ, 11/19/2013